

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION**

IN RE:

RHODIUM ENCORE, LLC, et al.,

Debtor.

§§§§§

CHAPTER 11

CASE NO. 24-90448
(Bankr. S.D. Tex.)

345 PARTNERS SPV2 LLC, GRANT FAIRBAIRN, AS TRUSTEE AND ON BEHALF OF GRANT FAIRBAIRN REVOCABLE TRUST, NINA FAIRBAIRN, AS TRUSTEE AND ON BEHALF OF NINA CLAIRE FAIRBAIRN REVOCABLE TRUST, RICHARD FULLERTON, WILLIAM HO, AS TRUSTEE AND ON BEHALF OF GR FAIRBAIRN FAMILY TRUST, NCF EAGLE TRUST, GRF TIGER TRUST, AND NC FAIRBAIRN FAMILY TRUST, SCOTT KINTZ, AS TRUSTEE AND ON BEHALF OF KINTZ FAMILY TRUST, JACOB RUBIN, TRANSCEND PARTNERS LEGEND FUND LLC, VALLEY HIGH LP, JERALD

ADV. NO. 25-04008

WEINTRAUB, AS TRUSTEE AND ON	§
BEHALF OF JERALD AND MELODY	§
HOWE WEINTRAUB REVOCABLE	§
LIVING TRUST DTD 02/05/98, AS	§
AMENDED, AND MIKE WILKINS, AS	§
TRUSTEE AND ON BEHALF OF	§
WILKINS-DUIGNAN 2009 REVOCABLE	§
TRUST,	§
 	§
Plaintiffs,	§
 	§
v.	§
 	§
NATHAN NICHOLS, CHASE	§
BLACKMON, CAMERON BLACKMON,	§
NICHOLAS CERASUOLO, AND	§
IMPERIUM INVESTMENTS	§
HOLDINGS, LLC,	§
 	§
Defendants.	§

ORDER GRANTING PLAINTIFFS' MOTION TO REMAND AND ABSTAIN

CAME ON FOR CONSIDERATION the *Motion to Remand and Abstain* (the “Motion”) filed by Plaintiffs.¹ The Court, having considered the Motion, Plaintiffs’ *Brief in Support of Plaintiffs’ Motion to Remand and Abstain*, the record in this adversary proceeding, and the arguments of counsel at the hearing, and having determined that due notice of the Motion and the hearing thereon were appropriate under the circumstances, finds that good cause exists for entry of this Order. **IT IS THEREFORE,**

ORDERED that the Motion is **GRANTED**; and it is further

ORDERED that this lawsuit is remanded back to 342nd Judicial District Court in Tarrant

¹ The Plaintiffs are: 345 Partners SPV2 LLC, Grant Fairbairn, as Trustee and on behalf of the Grant Fairbairn Revocable Trust, Nina Fairbairn, as Trustee and on behalf of the Nina Claire Fairbairn Revocable Trust, Richard Fullerton, William Ho, as Trustee and on behalf of the GR Fairbairn Family Trust, NCF Eagle Trust, GRF Tiger Trust, and NC Fairbairn Family Trust, Scott Kintz, as Trustee and on behalf of the Kintz Family Trust, Jacob Rubin, Transcend Partners Legend Fund LLC, Valley High LP, Jerald Weintraub, as Trustee and on behalf of the Jerald and Melody Howe Weintraub Revocable Living Trust DTD 02/05/98, as amended, and Mike Wilkins, as Trustee and on behalf of the Wilkins-Duignan 2009 Revocable Trust (collectively, the “Plaintiffs”).

County, Texas for further adjudication; and it is further

ORDERED that Defendants Nathan Nichols, Chase Blackmon, Cameron Blackmon, and Imperium Investments Holdings, LLC (“Moving Defendants”) are jointly and severally liable to Plaintiffs in the total amount of \$_____ for the just costs and actual expenses Plaintiffs incurred as a result of the removal.

ORDERED that the Clerk of the Court is instructed to process the remand and transmit the record in this matter to the Clerk of the District Court of Tarrant County, Texas.

END OF ORDER